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#9B

NATIONAL PATENT APPLICATION

IN THE UNITED STATES PCT RECEIVING OFFICE

Examiner: Janice Lee Krizek
(703) 308-2026 (ph), (703) 872-9326 (fx)
Applicants: Phillip G. Spaniol, Steven J. Spaniol and Kevin D. Kaschke
Intl. Appl. No.: PCT/US98/18376 Docket No.: FT0002R
Intl. Filing Date: 23 October 1998 Priority Date: None
Nat'l. Appln. No.: 09/830,005 Group Art Unit: 3652
Nat'l. Filing Date: 21 April 2001
Entitled: Agricultural Bale Accumulator And Method Therefor

Farm Technology, L.L.C.
Kevin D. Kaschke
1507 Diamond Drive
Hoffman Estates, Illinois 60195

August 28, 2003

Preliminary Amendment

Honorable Assistant Commissioner of Patents
Washington, D.C. 20231

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SEP 04 2003
GROUP 3600

Dear Sir:

Responsive to the Office Action dated May 28, 2003 for the above-identified patent application, the Applicants hereby submit the following preliminary amendment.

Please cancel, without prejudice, the 35 claims of the present preliminary amendment dated December 2, 2002 and add to the present application the following ** new claims directed towards the identified elected species, AA, as described in the present application, for example, on pages 100 - 111 and as shown in figures 125, 126, 127, and 128.

Any inquiry related to this response should be communicated to Kevin Kaschke at the phone number or address provided in this letter.

Respectfully submitted,
Phillip G. Spaniol et al.

By: Kevin D. Kaschke
Kevin D. Kaschke 8/28/03
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01 FC:2202 198.00 OP
02 FC:2201 84.00 OP



NATIONAL PATENT APPLICATION

APC
09/01/03
#8

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Farm Technology, L.L.C.
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August 28, 2003

Election of Species under 37 C.F.R. 1.146

Honorable Assistant Commissioner of Patents
Washington, D.C. 20231

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GROUP 3600

Dear Sir:

Responsive to the Office Action dated May 28, 2003 for the above-identified patent application, the Applicants hereby submit the following response.

The Applicants hereby submit herewith a transmittal form including a the Certificate of Transmission/Mailing, a fee transmittal form, a petition for a two month extension of time including a copy of the same and the required fee, this election of species letter, a preliminary amendment, and a post card.

In the Office Action, the Examiner states that the applicants reply received on December 9, 2002 is not fully responsive to the prior Office Action dated October 2, 2002 because the Applicants failed to identify an elected species, for example, Species A of figure 1. The Examiner further states that the Applicant must also list the claims readable on the stated species.

Responsive to the Examiner's request, the Applicants hereby identify the elected species, AA, as described in the present application, for example, on pages 100 – 111 and as shown in figures 125, 126, 127, and 128. Note that the present elected species is given a new designation of "AA" because the present elected species was not described in the Examiner's Office Action dated October 02, 2002, and the Examiner's described species stopped at figure 110.

Further responsive to the Examiner's request, the Applicants hereby submit a preliminary amendment that cancels, without prejudice, the 35 claims of the present preliminary amendment dated December 2, 2002 and that adds to the present application the attached ** new claims directed towards the identified elected species.

The Applicants hereby submit a petition for a two-month extension of time, under 37 C.F.R. 1.136(a), with the appropriate fee. The Examiner set the shortened statutory time-period for reply to expire one month from the mailing date of the present office action. The examiner mailed the present office action on May 28, 2003. The shortened statutory time-period for reply expired on June 28, 2003. The Applicants mailed the present reply on August 28, 2003. Therefore, the Applicants respectfully request a two-month extension of time extending from June 28, 2003 to August 28, 2003.

Any inquiry related to this response should be communicated to Kevin Kaschke at the phone number listed below.

Respectfully submitted,
Phillip G. Spaniol et al.

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